

105TH CONGRESS
2D SESSION

H. R. 4303

To amend the Act popularly known as the Declaration of Taking Act to require that all condemnations of property by the Government proceed under that Act.

IN THE HOUSE OF REPRESENTATIVES

JULY 22, 1998

Mr. HUNTER (for himself, Mr. COBURN, Mrs. EMERSON, Mr. ENGLISH of Pennsylvania, Mr. GALLEGLY, Mr. HERGER, Mr. NETHERCUTT, Mr. McKEON, Mr. SKEEN, and Mr. STUMP) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Act popularly known as the Declaration of Taking Act to require that all condemnations of property by the Government proceed under that Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Prompt Compensation
5 Act of 1998”.

1 **SEC. 2. CONDEMNATIONS REQUIRED TO PROCEED UNDER**
2 **THE DECLARATION OF TAKING ACT.**

3 The first section of the Act entitled “An Act to expe-
4 dite the construction of public buildings and works outside
5 the District of Columbia by enabling possession and title
6 of sites to be taken in advance of final judgment in pro-
7 ceedings for the acquisition thereof under the power of
8 eminent domain”, approved February 26, 1931 (Chapter
9 307; 40 U.S.C. 258a), popularly known as the Declaration
10 of Taking Act, is amended—

11 (1) in the first sentence, by striking “the peti-
12 tioner may file in the cause, with the petition or at
13 any time before judgment,” and inserting “the peti-
14 tioner shall file in the cause, by not later than 90
15 days after the filing of the petition,”;

16 (2) in the second full paragraph, by striking
17 “Upon the filing of said declaration” and all that
18 follows through “shall vest in the United States of
19 America” and inserting “Upon filing the declaration
20 of taking, the petitioner shall deposit with the court
21 the amount of the estimated compensation stated in
22 the declaration. Upon such filing and deposit, title
23 to the lands in fee simple absolute, or such less es-
24 tate or interest therein as specified in the declara-
25 tion, shall vest in the United States”; and

1 (3) in the third full paragraph, by striking “the
2 court may order that the money deposited” and in-
3 serting “the court shall order that the money depos-
4 ited”.

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